

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

DENISE THURMOND

211 Owen St.
Hamilton, OH 45011

Plaintiff,

v.

FORD MOTOR COMPANY,

3000 E Sharon Rd.
Cincinnati, OH 45241

Defendant.

CASE NO:

JUDGE:

NOTICE OF REMOVAL

Please take notice that pursuant to 28 U.S.C. §§ 1441 and 1446, Defendant Ford Motor Company (“Ford”) hereby removes the action, *Denise Thurmond v. Ford Motor Company*, Case No. A 1905353, from the Court of Common Pleas for Hamilton County, Ohio to the United States District Court for the Southern District of Ohio, Western Division, pursuant to 28 U.S.C. § 1331, 28 U.S.C. § 1441(a), and 28 U.S.C. § 1446. In support, Ford states as follows:

Background

1. On November 8, 2019, Plaintiff Denise Thurmond (“Plaintiff”) filed a Complaint against Ford Motor Company (“Ford”) in the Court of Common Pleas for Hamilton County, Ohio. The case was docketed under Case No. A 1905353. Plaintiff obtained service on Ford on November 13, 2019. A copy of the docket and pleadings served upon Ford are attached as Exhibit A and includes the Complaint and Summons.

2. The Complaint purports to assert claims for discrimination and retaliation in violation of the American with Disabilities Act of 1990, as amended. (Ex. A, Complaint).

3. No responsive pleadings have been filed by Ford in the state court action.

4. As stated in more detail below, this case is properly removed to this Court pursuant to 28 U.S.C. § 1441 because Ford has satisfied the procedural requirements for removal and this Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331.

Federal Question Jurisdiction

5. Pursuant to 28 U.S.C. § 1331, “[t]he district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.”

6. This Court has original jurisdiction over this action based upon federal question jurisdiction. 28 U.S.C. § 1331. Specifically, Plaintiff’s case arises from alleged violations of the Americans with Disabilities Act of 1990, as amended. (Ex. A, Complaint).

7. Ford is removing this action to this Court pursuant to 28 U.S.C. §§ 1331 and 1441(a). This civil action arises under the laws of the United States, and the Court has jurisdiction over Plaintiff’s claims.

8. Venue is proper in the Southern District of Ohio, Western Division, because the state court action is pending within this Court’s jurisdiction. 28 U.S.C. §§ 1441(a); 1446(a).

Procedural Requirements for Removal Are Satisfied

9. The Complaint was served on November 13, 2019. Accordingly, under 28 U.S.C. § 1446(b), this Notice of Removal is timely filed within 30 days of service of the Complaint and Summons upon Ford.

10. The time for Ford to answer, move, or otherwise plead with respect to the Complaint has not yet expired.

11. Concurrent with this Notice, Ford is serving the Notice on Plaintiff’s counsel and will also timely file its Notice of Filing of Notice of Removal and a copy of this Notice of Removal

with the Clerk of Courts of the Hamilton County Court of Common Pleas pursuant to 28 U.S.C. § 1446(d). A copy of the Notice of Filing of Notice of Removal is attached as Exhibit B.

12. By filing a Notice of Removal, Ford does not waive any right to assert any defense and/or objection to which it may be entitled.

WHEREFORE, Defendant Ford Motor Company respectfully requests that the above-captioned matter, now pending the Court of Common Pleas for Hamilton County, Ohio, Case No. A 1905353, be removed to this Honorable Court for trial and final determination.

Dated: December 9, 2019

Respectfully submitted,

/s/ Ronald G. Linville

Ronald G. Linville (0025803)
Email: rlinville@bakerlaw.com
BAKER & HOSTETLER LLP
200 Civic Center Drive
Suite 1200
Columbus, OH 43215-4138
Telephone: 614.228.1541
Facsimile: 614.462.2616

Attorney for Defendant Ford Motor Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 9, 2019, a true and correct copy of the foregoing Notice of Removal was electronically filed with the Clerk of Court using the Court's CF/ECF filing system and sent via U.S. mail, postage pre-paid, to all interested parties of record identified below.

Denise Thurmond
211 Owen St.
Hamilton, OH 45011

Plaintiff

/s/ Ronald G. Linville

Ronald G. Linville

Attorney for Defendant Ford Motor Company

EXHIBIT A



HAMILTON COUNTY
CLERK OF COURTS
AFTAB PUREVAL
1000 Main St, Cincinnati, OH 45202

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Case Summary

Case Number:	A 1905353
Court:	Common Pleas Civil
Case Caption:	DENISE THURMOND vs. FORD MOTOR COMPANY
Judge:	THOMAS O BERIDON
Filed Date:	11/08/2019
Case Type:	H702 - OTHER CIVIL - TAXED IN COSTS
Total Deposits:	Unavailable
Total Costs:	\$247.00



Case History

[Show All Rows](#)

Date	Description	Amount	Doc	Image#
11/20/2019	ADDITIONAL EXHIBIT TO FORMER COMPLAINT			
11/18/2019	ELECTRONIC POSTAL RECEIPT RETURNED, COPY OF SUMMONS & COMPLAINT DELIVERED TO FORD MOTOR COMPANY ON 11/13/19, FILED. [CERTIFIED MAIL NBR.: 7194 5168 6310 0906 5070]			
11/13/2019	JUDGE ASSIGNED CASE ROLLED TO BERIDON/THOMAS/O PRIMARY			
11/12/2019	CERTIFIED MAIL SERVICE ISSUED TO FORD MOTOR COMPANY [CERTIFIED MAIL NBR.: 7194 5168 6310 0906 5070]			
11/12/2019	SUMMONS ISSUED BY CERTIFIED MAIL TO FORD MOTOR COMPANY			
11/08/2019	POVERTY AFFIDAVIT FILED.			
11/08/2019	TAXED IN COSTS - FILING DENISE THURMOND	0.00-		
11/08/2019	CLASSIFICATION FORM FILED.			
11/08/2019	COMPLAINT FILED			



HAMILTON COUNTY
CLERK OF COURTS
1000 Main St, Cincinnati, OH 45202

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COMMON PLEAS COURT
HAMILTON COUNTY, OHIO

Denise Thurmond
211 Owen ST. Ham, OH
45011

CASE NO. A1905353

-VS-

LAW SUIT
TYPE OF FILING OR ENTRY

Ford Motor Company
3000 E. Sharon RD, Cin, OH 45241

Information ATTACHED regarding
LAW SUIT



FILED
2019 NOV - 8 1 P 2:32
CLERK OF COURTS
HAMILTON COUNTY, OH
COMMON PLEAS

Denise Thurmond
NAME

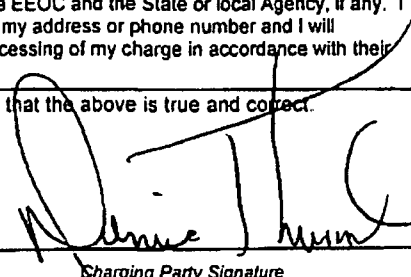
513-487-0230
PHONE NUMBER

211 Owen ST. Ham, OH 45011
ADDRESS



EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION <small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 473-2019-01579	
Ohio Civil Rights Commission and EEOC <small>State or local Agency, if any</small>			
Name (indicate Mr., Ms., Mrs.) Ms. Denise Thurmond		Home Phone (Incl. Area Code)	Date of Birth 1964
Street Address Hamilton, OH 45011			
RECEIVED AUG 15 2019			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name FORD MOTOR COMPANY		No. Employees, Members 500 or More	Phone No. (Include Area Code) (513) 782-7800
Street Address 3000 E. SHARON ROAD, Cincinnati, OH 45241		City, State and ZIP Code	
Name		No. Employees, Members	Phone No. (Include Area Code)
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es)) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 04-15-2019 08-14-2019 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)). I. I have a disability. Since my employment, I have been harassed by the human resources personnel regarding my work schedule. I requested a reasonable accommodation due to my disability. However, nothing has been done to accommodate me, which I believe is in retaliation for filing an internal harassment complaint. Since filing my internal complaint and informing management that I was going to file a claim with the EEOC, on or about August 14, 2019, I was terminated. II. Management is responsible for the above discriminatory action. III. I believe I have been discriminated and retaliated against in violation of the Americans with Disabilities Act of 1990, as amended.			

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct.	NOTARY - When necessary for State and Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)
Aug 15, 2019 Date	 Charging Party Signature

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC </div> <div style="text-align: right;"> 473-2019-01579 </div> </div>	
Ohio Civil Rights Commission and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) Ms. Denise Thurmond		Home Phone (Incl. Area Code) 	
Date of Birth 1964			
Street Address Hamilton, OH 45011		City, State and ZIP Code 	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name FORD MOTOR COMPANY		No. Employees, Members 500 or more	
Phone No. (Include Area Code) (513) 782-7800			
Street Address 3000 E. SHARON ROAD, Cincinnati, OH 45241		City, State and ZIP Code 	
Name 		No. Employees, Members 	
Phone No. (Include Area Code) 			
Street Address 		City, State and ZIP Code 	
DISCRIMINATION BASED ON (Check appropriate box(es)) <div style="display: flex; flex-wrap: wrap;"> <div style="margin-right: 10px;"><input type="checkbox"/> RACE</div> <div style="margin-right: 10px;"><input type="checkbox"/> COLOR</div> <div style="margin-right: 10px;"><input type="checkbox"/> SEX</div> <div style="margin-right: 10px;"><input type="checkbox"/> RELIGION</div> <div style="margin-right: 10px;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> RETALIATION</div> <div style="margin-right: 10px;"><input type="checkbox"/> AGE</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> DISABILITY</div> <div style="margin-right: 10px;"><input type="checkbox"/> GENETIC INFORMATION</div> <div style="margin-right: 10px;"><input type="checkbox"/> OTHER (Specify)</div> </div>		DATE(S) DISCRIMINATION TOOK PLACE <div style="display: flex; justify-content: space-between;"> <div> Earliest 04-15-2019 </div> <div> Latest 05-01-2019 </div> </div> <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> CONTINUING ACTION </div>	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I. I have a disability. Since my employment, I have been harassed by the human resources personnel regarding my work schedule. I requested a reasonable accommodation due to my disability. However, nothing has been done to accommodate me, which I believe is in retaliation for filing an internal harassment complaint. II. Management is responsible for the above action. III. I believe I have been discriminated against in violation of the Americans with Disabilities Act of 1990, as amended.			

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct. <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>_____ Date</div> <div>_____ Charging Party Signature</div> </div>	NOTARY - When necessary for State and Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)
--	--

EEOC Form 161 (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Denise Thurmond**
Hamilton, OH 45011

From: **Cincinnati Area Office**
John W. Peck Fed. Bldg
550 Main St Room 10-019
Cincinnati, OH 45202

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

473-2019-01579

William D. Coleman,
Investigator

(513) 914-6013

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission

Melanie L. Breen /ms

AUG 21 2019

Enclosures(s)

Melanie L. Breen,
Area Office Director

(Date Mailed)

cc:

Suzie Furton
Equal Employment Planning
FORD MOTOR COMPANY
One American Road, 123-A6 WHQ
Dearborn, MI 48126

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIOCLASSIFICATION FORM
WWW.COURTCLERK.ORGAFTAB PUREVAL
CLERK OF COURTSCASE NUMBER: A 1905353 PLAINTIFF: _____

PURSUANT TO SUPERINTENDENCE RULE 4, THIS CASE WAS ORIGINALLY FILED AND DISMISSED

UNDER CASE NUMBER: _____ BY JUDGE _____

PLEASE INDICATE CLASSIFICATION INTO WHICH THIS CASE FALLS (please only check one):

- ☐ Other Tort – C360
☐ Personal Injury – C310
☐ Wrongful Death – C320
☐ Vehicle Accident – C370

☐ Professional Tort – A300
☐ Personal Injury – A310
☐ Wrongful Death – A320
☐ Legal Malpractice – A330
☐ Medical Malpractice – A340

☐ Product Liability – B350
☐ Personal Injury – B310
☐ Wrongful Death – B320

☐ Worker's Compensation
☐ Non-Compliant Employer – D410
☐ Appeal – D420

☐ Administrative Appeals – F600
☐ Appeal Civil Service – F610
☐ Appeal Motor Vehicle – F620
☐ Appeal Unemployment – F630
☐ Appeal Liquor – F640
☐ Appeal Taxes – F650
☐ Appeal Zoning – F660

☐ Certificate of Qualification – H600

- ☒ Other Civil – H700-34
☐ Appropriation – H710
☐ Accounting – H720
☐ Beyond Jurisdiction – 730
☐ Breach of Contract – 740
☐ Cancel Land Contract – 750
☐ Change of Venue – H760
☐ Class Action – H770
☐ Convey Declared Void – H780
☐ Declaratory Judgment – H790
☐ Discharge Mechanics Lien – H800
☐ Dissolve Partnership – H810
☐ CONSUMER SALES ACT (1345 ORC) – H820
☐ Check here if relief includes declaratory judgment, injunction or class action recovery – H825

☐ Habeas Corpus – H830
☐ Injunction – H840
☐ Mandamus – H850
☐ On Account – H860
☐ Partition – H870
☐ Quiet Title – H880
☐ Replevin – H890
☐ Sale of Real Estate – H900
☐ Specific Performance – 910
☐ Restraining Order – H920
☐ Testimony – H930-21
☐ Environmental – H940
☐ Cognovit – H950
☐ Menacing by Stalking – H960
☐) Repo Title – Transfer of Title Only – 970
☐) Repo Title – With Money Claim – H980
☐ Injunction Sexual Predator – 990
☐ SB 10 – Termination – H690
☐ SB 10 – Reclassification – H697

CLERK OF COURTS
 HAMILTON COUNTY, OH
 COMMON PLEAS
 2019 NOV - 8 1 P 2:33
 FILED

DATE: 11-21-19ATTORNEY (PRINT): Deuse ThormondOHIO SUPREME COURT NUMBER: 29997

THE STATE OF OHIO, HAMILTON COUNTY
COURT OF COMMON PLEAS

Denise Thurmond
Plaintiff

CASE No. A1905353

-VS-

AFFIDAVIT OF INDIGENCY

Ford Motor Company
Defendant



Denise Thurmond
Name

, the undersigned, being first duly sworn and

cautioned, deposes and states as follows:

1. That he/she is the party in the above styled case;
2. That he/she is a citizen of the State of Ohio;
3. That he/she is indigent and unable to pay the costs and charges involved in the within matter;
4. That he/she is entitled to the redress that is sought in the above styled action to the best of his/her knowledge and belief.

FURTHER AFFIANT SAYETH NAUGHT.

Denise Thurmond
Signature

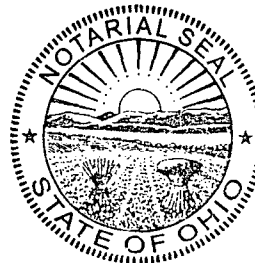
SWORN TO AND SUBSCRIBED BEFORE ME, A NOTARY PUBLIC IN AND

FOR THE COUNTY AND STATE THIS 8th DAY OF NOVEMBER, 2019.

Date Month Year

NOTARY PUBLIC

Julie Koehne



JULIE KOEHNE
Notary Public, State of Ohio
My Commission Expires 09-19-2021



COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

DENISE THURMOND
PLAINTIFF

-- vs --

FORD MOTOR COMPANY
DEFENDANT

Use below number on
all future pleadings

No. A 1905353
SUMMONS

FORD MOTOR COMPANY
3000 E SHARON RD
CINCINNATI OH 45241

D - 1

You are notified
that you have been named Defendant(s) in a complaint filed by

DENISE THURMOND
211 OWEN ST
HAMILTON OH 45011

Plaintiff(s)

in the Hamilton County, COMMON PLEAS CIVIL Division,
AFTAB PUREVAL, 1000 MAIN STREET ROOM 315,
CINCINNATI, OH 45202.

You are hereby summoned and required to serve upon the plaintiff's attorney, or upon the plaintiff, if he/she has no attorney of record, a copy of an answer to the complaint within twenty-eight (28) days after service of this summons on you, exclusive of the day of service. Your answer must be filed with the Court within three (3) days after the service of a copy of the answer on the plaintiff's attorney.

Further, pursuant to Local Rule 10 of Hamilton County, you are also required to file a Notification Form to receive notice of all future hearings.

If you fail to appear and defend, judgement by default will be rendered against you for the relief demanded in the attached complaint.

Name and Address of attorney
DENISE THURMOND
211 OWEN ST
HAMILTON OH 45011

AFTAB PUREVAL
Clerk, Court of Common Pleas
Hamilton County, Ohio

By RICK HOFMANN

Deputy

Date: November 12, 2019



D127172426



VERIFY RECORD



ELECTRONIC CERTIFIED MAIL SERVICE RETURN
~~SUMMONS & COMPLAINT~~
A 1905353 D1
FORD MOTOR COMPANY
FILED: 11/18/2019 6:55:52

Date Produced: 11/18/2019

HAMILTON COUNTY CLERK OF COURTS:

The following is the delivery information for Certified Mail™ item number 7194 5168 6310 0906 5070. Our records indicate that this item was delivered on 11/13/2019 at 10:30 a.m. in CINCINNATI, OH 45241. The scanned image of the recipient information is provided below.

Signature of Recipient :

A handwritten signature in black ink, appearing to be "T Ford", with the name "FORD" written in large, blocky capital letters below the signature.

Address of Recipient :

A handwritten address in black ink, "3000 E. Shore", written in a cursive script.

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 15156273SEQ1

Additional Exhibit
to former Complaint

A1905353

TO WHOM IT MAY CONCERN: I WANT TO ADDRESS HOW I WAS HARASSED, DISCRIMINATED AND RETALIATED AGAINST WHILE I WORKED AT FORD MOTOR CO. BY LABOR RELATION NICK JOHNSON AND LIZ RUNYON. WHEN I WAS IN ORIENTATION CLASS NICK WAS TEACHING DIVERSITY SEVERAL CLASS MEMBERS MENTION TO NICK ABOUT EMPLOYEES TREATING THEM DIFFERENT WHEN YOU START A NEW JOB, I PIGGY BACK ON WHAT THEY SAID NICK IMMEDIATELY TOLD THE CLASSTO GO ON BREAK AND TOLD ME WE ARE OFFLINE COME TO HIS OFFICE ,HE STOOD IN MY FACE AND YELLED AT ME SAYING , DON'T EVER SAY ANYTHING WHEN HE IS TEACHING THE CLASS, I SAID WHERE IS THE OTHER CLASS MEMBERS THEY SAID SOMETHING FIRST , NICK SAID DON'T WORRY ABOUT THEM I'M TALKING ABOUT YOU I SAID THAT'S NOT FAIR, NICK SAID DON:T SAY ANYTHING ELSE, I SAID OK YOU WANT HEAR ME SAY ANYTHING AGAIN . THE NEXT DAY IT WAS TIME TO GET THE JOB SCHEDULE LIZ COME IN AND NICK WAS STANDING AT THE BACK OF THE CLASSROOM. LIZ TOLD ME I WAS SCHEDULED FOR MIDNIGHT SHIFT, THE OTHER CLASS MEMBERS COMPLAINED ABOUT THEIR SCHEDULE LIZ SAID SHE WILL ACCOMMODATE ONE TIME ONLY A CLASS MEMBER ASKED IF SHE COULD GET A MIDNIGHT SHIFT LIZ SAID YES I HAVE TWO MIDNIGHT SHIFT DO YOU WANT ONE CLASS MEMBER SAID YES IF ITS NOT TAKING AWAY FROM DENISE LIZ SAID NO ITS NOT . LIZ LEFT THE ROOM SHORTLY LIZ COME BACK IN CLASS AND SAID DENISE YOUR GOING ON FIRST SHIFT , I SAID TO LIZ YOU SAID THAT IT WAS TWO MIDNIGHT SHIFT AVAILABLE , LIZ SAID DON'T QUESTION HER IAM GOING ON FIRST SHIFT . ANOTHER CLASS MEMBER SAID I WOULD LIKE FIRST SHIFT INSTEAD OF SECOND SHIFT , LIZ GAVE CLASS MEMBER THE FIRST SHIFT AND TOLD ME NOW IAM GOING TO SECOND SHIFT , I SAID LIZ YOU CHANGED MY SCHEDULE THREE TIMES NOT ONE TIME DID I COMPLAIN ABOUT MY INITIAL SCHEDULE LIZ I TOLD YOU I WAS SATISFIED WITH THE MIDNIGHT SHIFT , NICK JUMP IN THE CONVERSATION AND SAID COME WITH ME MS. THURMOND I WENT TO NICK OFFICE NICK STARTED YELLING AT ME AGAIN SAYING WHAT DID YOUR APPLICATION SAY , I SAID I DON'T REMEMBER IT WAS A YEAR AGO NICK REPEATED AGAIN WHAT DID YOUR APPLICATION SAY , I SAID ONCE AGAIN I DON'T REMEMBER NICK SAID YOUR TO TAKE WHAT SCHEDULE WE INITIALLY GIVE YOU , I SAID NICK THE ATTMOOSPHERE WASN'T GOOD I NEED TO GO PRAY I WENT BACK TO CLASS , NICK IMMEDIATELT Y COME TO THE CLASSROOM FINGERING ME TO COME BACK TO HIS OFFICE I WENT BACK AND NICK REPEATEDAGAIN WHAT DID YOUR APPLICATION SAY YOUR TO ACCEPT THE SCHEDULE WE GIVE YOU IF NOT YOU CANT WORK HERE, I SAID I WAS SATISFIED WITH THE INITIAL SCHEDULE , LIZ ACCOMODATED THE OTHER CLASS MEMBERS WITHOUT ANY PROBLEM NICK SAID NO MS. THURMOND ITS ABOUT YOU , I SAID I DON'T FEEL THAT'S FAIR , NICK SAID DON'T WORRY ABOUT THEM IAM SPEAKING TO YOU MS. THURMOND AND WHAT ARE YOU GOING TO DO , I SAID WHAT DO MEAN ABOUT WHAT IAM GOING TO DO , NICK REPEATED AGAIN WHAT ARE YOU GOING TO DO , I SAID I WILL BE BACK ON MONDAY . FROM THAT DAY FORTH EVERY TIME NICK COME AROUND THE CLASS MEMBERS WOULD WARN ME WHEN EVER NICK COME AROUND I WOULD DROP MY HEAD TO AVOID ANY CONFRONTATION WITH NICK . I SPOKE WITH THE UNION ABOUT THE SCHEDULE CHANGE THEY SPOKE WITH LIZ , SAID IF DENISE WANT TO BE ACCOMODATED SHE WILL HAVE TO GO SEE A DOCTOR AND GET ACCOMODATION LETTER, LIZ SAID IF THE DOCTOR WRITE ONE SHE STILL DON'T HAVE TO ACCOMMODATE ME . I GAVE LIZ MY CHANGE OF ADDRESS FORM AND DIRECT DEPOSIT THE FIRST DAY OF CLASS, LIZ SENT MY CHECK TO THE WRONG ADDRESS SO I DIDN'T GET PAID UNTIL FOUR WEEKS LATER, LIZ SAID I DIDN'T LOOK AT YOUR CHANGE OF ADDRESS FORM. LIZ PLAYED GAMES ABOUT A FORM ERIC TOLD HER TO GIVE ME I WENT TO HER OFFICE SHE SAID WHAT FORM , I SAID YOU JUST GOT OFF THE PHONE WITH ERIC HE TOLD YOU IAM ON MY WAY TO YOUR OFFICE, I STARTED TO LEAVE LIZ CALLED ME BACK SAYING DO YOU KNOW THE NAME OF THE FORM . I WAS CALLED IN LABOR RELATION OFFICE ABOUT A 60 DAY REVIEW THEY MENTION I NEED TO GET THE PARTS CLOSED OUT



D127264032

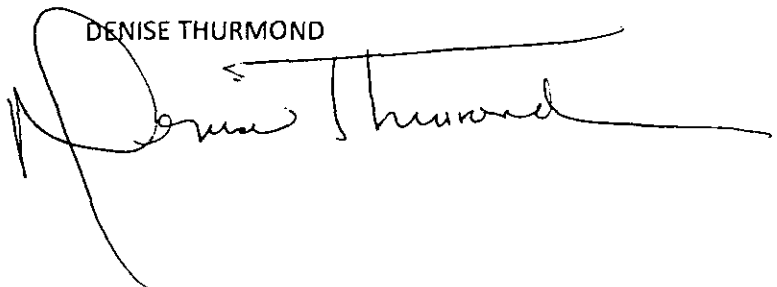


VERIFY RECORD

IMMEDIATELY BECAUSE IT COULD BE A PROBLEM MANAGEMENT SAID THEY CAN SEE WHEN I AM ON THE COMPUTER BY MY LOG IN NUMBER AND TELL WHAT I AM DOING , I TOLD THEM I NEVER HAD A LOG IN NUMBER , THEY SAID YOU DON'T HAVE ONE , I KNOW THEY WERE TELLING A LIE . THEY SAID I WOULD GET A LOG IN NUMBER AND PAGER AND TO COME BACK IN TWO WEEKS FOR A UPDATE , TWO WEEKS LATER THEY CANCELLED THE MEETING . THREE TIMES SAYING WHITLOCK WASN'T IN THE BUILDING TO BE A PART OF THE MEETING I SEEN WHITLOCK IN THE BUILDING , ALSO THEY SAID ROBIN NEED TO BE THEIR ROBIN AND I WENT TO LABOR RELATION AND ONCE AGAIN THEY CANCELLED THE MEETING , I ASKED WHY , THEY COULDN'T GIVE ME EXPLANATION WHY. I TOLD LIZ ABOUT MY DISABILITY SERVICE ANIMAL AND I HAVE DOCTOR APPOINTMENTS, LIZ SAID WE CAN EXCUSE YOU IF YOU NEED TO GO , I GAVE THE HOSPITAL A COPY OF MY SERVICE ANIMAL . NURSE CALLED LIZ AND SAID SHE CANT BRING THE ANIMAL INSIDE THE PLANT DENISE NEED TO BE ACCOMODATED, I GOT AWOL ON NEEDING TO GET MY ANIMAL TO DAYCARE , NICK WAS ON THE PHONE TALKING AND LAUGHING TO SOMEONE ABOUT ME NICK SAID MS. THURMOND SHES HERE ABOUT HER SERVICE ANIMAL BUT MS, THURMOND DON'T KNOW SHES OUT OF HERE , SHE WONT BE WORKING HERE. LAURYN CALLED ME IN THE OFFICE ON 8/14/19 WHICH I THOUGHT IT WAS ABOUT MY REVIEW HOWEVER LAURYN SAID LABOR RELATION AND MANAGEMENT GOT TOGETHER FELT THEY NO LONGER NEED ME TO WORK HERE DUE TO UNSATISFACTORY WORK PERFORMACE , I SAID YOU NEVER HAD THE REVIEW WHATS GOING ON WITH THE REVIEW , LAURYN GOT LOUD SAYING ITS NOT GOING TO BE A REVIEW AND SHE IS ENDING THE CONVERSATION. I SAID BECAUSE I FILED A COMPLAINT ON NICK AND LIZ SO YOU ALL ARE RETALIATING AGAINST ME . ALSO NATHAN CALLED ME IN ABOUT THE COMPLAINT I FILED HE SAID THAT HE WAS CLOSING OUT THE COMPLAINT , I ASKED NATHAN HOW WAS IT RESOLVED NATHAN SAID HE TALKED TO ALL WITNESSES AND HE WASN'T GOING TO TELL ME HOW HE RESOLVED IT . I SPOKE WITH ONE OF THE WITNESSES MENTION IN THE COMPLAINT SHE SAID NATHAN NEVER SPOKE TO HER ABOUT THE COMPLAINT . ALSO ON SHUT DOWN IN JULY CLASSMEMBERS SAID THEY RECEIVED A MASS LAYOFF PAPER TO APPLY FOR UNEMPLOYMENT WHICH THEY GOT PAID , I WASN'T GIVEN ONE UNTIL I GOT BACK TO WORK FROM SHUT DOWN I CALLED UNEMPLOYMENT THEY SAID YOUR BACK TO WORK I WOULD BE DENIED . ALSO THE SAME CONCERN ABOUT THE CLOSING OF THE PARTS , I FOUND A LOT OF OPEN PARTS FOR TWO WEEKS THAT ANOTHER EMPLOYEE HAD NOT CLOSED WHICH I MENTIONED TO MANAGEMENT AND EMPLOYEES , HOWEVER THEY SAID I WAS WRONG IF I HAD OPEN PARTS . IVE BEEN WORKING IN A HOSTILE ENVIROMENT FROM DAY ONE DISCRIMINATED AND RETALIATED AGAINST FOR NO APPARENT REASON, I COME TO WORK ON TIME AND ALWAYS WILLING TO WORK .

SINCERELY,

DENISE THURMOND

A handwritten signature in black ink, appearing to read "Denise Thurmond", written over a horizontal line. The signature is stylized with a large initial "D" and a long horizontal stroke extending to the right.



Forest Park Internal Medicine and Pediatrics

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Stephen Edwin Wilson, MD

August 23, 2019

Patient: **Denise A Thurmond**
Date of Birth: **1/12/1964**
Date of Visit: **8/23/2019**

To Whom It May Concern:

Denise A Thurmond is under my care for general anxiety disorder. She was initially managed on as-needed Clonazepam and Trileptal. She stopped the Clonazepam in April 2019. She started a new job and reported being harrassed. She was subsequently dismissed from the position. After the dismissal her anxiety increased substantially (GAD7 increase from 9 to 15). This is requiring her to take additional antidepressants and anxiolytics to help with there mood and anxiety.

If you have any questions or concerns, please don't hesitate to call.

Sincerely,

Stephen E. Wilson, MD, MSc, FACP, FAAP
Mercy Health Forest Park Internal Medicine-Pediatrics
11550 Winton Road
Forest Park, OH 45240

EXHIBIT B

**IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO**

Denise Thurmond,

Plaintiff,

vs.

Ford Motor Company,

Defendant.

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CASE NO. A 1905353

JUDGE THOMAS O. BERIDON

NOTICE OF FILING NOTICE OF REMOVAL

Please take notice that Defendant Ford Motor Company has filed in the Office of the Clerk of the United States District Court for the Southern District of Ohio, Western Division, a Notice of Removal of this case from the Common Pleas Court for Hamilton County, Ohio. A copy of the aforesaid Notice of Removal is attached hereto as Exhibit A and made a part hereof.

Please take notice that pursuant to 28 U.S.C. § 1446(d), this Court “shall proceed no further unless and until the case is remanded.”

Dated: December 9, 2019

Respectfully submitted,

/s/ Ronald G. Linville

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BAKER & HOSTETLER LLP
200 Civic Center Drive
Suite 1200
Columbus, OH 43215-4138
Telephone: 614.228.1541
Facsimile: 614.462.2616

Attorney for Defendant Ford Motor Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 9, 2019, a true and correct copy of the foregoing Notice of Filing Notice of Removal was electronically filed with the Clerk of Court using the Court's CF/ECF filing system and sent via U.S. mail, postage pre-paid, to all interested parties of record identified below.

Denise Thurmond
211 Owen St.
Hamilton, OH 45011

Plaintiff

/s/ Ronald G. Linville

Ronald G. Linville

Attorney for Defendant Ford Motor Company